IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

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WRIT PETITION NO : 6928 of 1996

Between:

1. K.Subbarao, s/o. Venkanna,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
2. S.Gurayya, S/o. Pallayya,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
3. K.P.Rajyalaxmi, W/o.Satyanrayana,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
4. S.Rajyalakshmi, W/o. Manikyam,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
5. K.Ratna, W/o. Venkatarao,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
6. N.Venkanna, S/o. Veeeraju,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
7. S.Arjanna, s/o. Varahalu,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
8. S.Abbulu, S/o. Varahalu,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
9. S.Kondamma, W/o. Satyanarayana,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.
10. K.Venkayamma, W/o. latet Surya Rao,

R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.

11. K.Satyanarayana, S/o. Rayudu,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.

12. S.Subbarao, S/o.Guraiah,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.

13. K.Peda Surya Rao, s/o. Nukaiah,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.

14. K.Venkat Rao, s/o. Subbarao,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.

15. K.Venkateswara Rao, s/o. Narayana Swamy,
R/o. Chinna Doddigalla(V), Nakkapalli (M),
Visakhapatnam Dist.

..... PETITIONERS

AND

1. The Revenue Divisional Officer,
Narasipatnam, Visakhapatnam.
2. The Mandal Revenue Officer,
Nakkapally (M), Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order, or direction particularly a Writ in the nature of Mandamus declaring the action of the respondents 1 & 2 to assign the land of an extent of Ac.7.54 cents covered by S.No.406 situated in China Doddigallu (V) as illegal and without jurisdiction and further direct the not to take any steps to assign the said land as house sites.

Counsel for the Petitioner: MR.K.V.SUBRAMANYA NARASU

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following:

ORDER:

The petitioners, who claim to be in possession of the land admeasuring Ac.07-54 cents covered by Sy. No.406 of at Chinna Doddigallu village, Nakkapalli Mandal, Visakhapatnam District, filed this writ petition questioning the action of the respondents in assigning the land of the petitioners to others.

It is stated in the affidavit, filed in support of the writ petition, that some of the villagers submitted representations to the second respondent - Mandal Revenue Officer, requesting him to assign the land in question to them, which is in possession of the petitioners, for house-sites. Accordingly, steps were being taken for assigning the said land.

Though counter-affidavit is not filed, on behalf of the respondents, the learned Government Pleader had produced a letter dated 29-11-2004, wherein it is stated that the land in question belongs to Motamarri Vari Chowltry and the same is not yet acquired for any housing colony.

The very writ petition is filed on apprehension and no steps have been taken to assign the said lands. Placing the said letter on record, the writ petition is closed. No order as to costs.

17-02-2005.

Lrkm.

To

1. The Revenue Divisional Officer,
   Narasipatnam, Visakhapatnam.
2. The Mandal Revenue Officer,
   Nakkapally (M), Visakhapatnam.

3. 2 CCs to the Government Pleader for Revenue, High

   Court of A.P., High Court Buildings, Hyderabad. (O.U.T).

4. 2 CD copies